

ADMINISTRATIVE PANEL DECISION

Baringa Partners LLP v. Liam Walter
Case No. D2025-3559

1. The Parties

The Complainant is Baringa Partners LLP, United Kingdom, represented by Baringa Partners LLP, United Kingdom.

The Respondent is Liam Walter, United States of America.

2. The Domain Name and Registrar

The disputed domain name <baringe.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 3, 2025. On September 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 3, 2025, Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 4, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on September 4, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 30, 2025.

The Center appointed Christian Gassauer-Fleissner as the sole panelist in this matter on October 8, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is Baringa Partners LLP, a limited liability partnership incorporated in England and Wales that offers management and consultancy services headquartered in London, United Kingdom.

The Complainant owns several trademark rights worldwide in the “baringa” term (“BARINGA Trademark”). In particular, the Complainant is the owner of the following trademarks registered well before the registration of the disputed domain name:

- United Kingdom trademark BARINGA No. UK00003202911, registered on March 10, 2017, duly renewed, and designating services in international classes 35, 41 and 42.
- International trademark BARINGA No. 1414792, registered on March 17, 2017, for the European Union, duly renewed, and designating services in international classes 35, 41 and 42.
- United States of America trademark BARINGA No. 5,905,677, registered on November 12, 2019, duly renewed, and designating services in international classes 35, 41 and 42.

The Complainant is also the owner of the domain name <baringa.com>, which is used to market the Complainant’s management consultancy services globally.

The disputed domain name <baringe.com> was created on July 25, 2025. The Complainant has provided evidence showing that the disputed domain name at the time of filing the Complaint resolved to a single page that was not being actively used. The Complainant provided evidence showing that the disputed domain name was used to send fraudulent emails impersonating a real employee of the Complainant.

When reviewed at the time of the Decision from a location in Austria, the disputed domain name resolved to an inactive page including German advertisements with hyperlinks, and a sub-caption reading: “Diese Webseite wurde vom Domain Inhaber dynamisch generiert, der das Sedo Domain Parking Programm nutzt. Die auf dieser Seite automatisiert bereitgestellten Werbeanzeigen kommen von dritter Seite und stehen mit Domain-Inhaber oder Sedo in keiner Beziehung.” This translates to “This website was dynamically generated by the domain owner using the Sedo Domain Parking Program. The advertisements automatically displayed on this page are provided by third parties and are not affiliated with the domain owner or Sedo.”

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to its earlier registered trademarks. The Complainant owns registered trademarks for the word “baringa” and the accompanying logo in Australia, China, the European Union, India, Norway, Russian Federation, Singapore, Switzerland, the United Kingdom, and the United States of America. These marks are used globally in connection with the Complainant’s management consultancy services. A simple side-by-side comparison of the Complainant’s official domain name <baringa.com> and the disputed domain name <baringe.com> illustrates the confusing similarity between the two. The only difference lies in the final letter,

where the letter “a” is replaced by the letter “e.” These two letters are adjacent on a keyboard and similar in appearance, making it easy for someone of average attention to mistake one for the other. Such a minor typographical variation, known as typosquatting, does nothing to prevent confusion; rather, it increases the likelihood that users will believe the disputed domain name is connected to or authorized by the Complainant. The Respondent has deliberately relied on the similarity between the two domain names, especially through the use of fraudulent email addresses associated with the disputed domain name. The Complainant therefore contends that the disputed domain name is confusingly similar to the Complainant’s earlier registered trademarks.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name is not being actively used. Other than the fraudulent activity outlined by the Complainant on the third element of the Policy which evidences the Respondent’s deliberately misleading use of the disputed domain name, there is no evidence of the Respondent’s rights, legitimate interests or plans to use the domain lawfully. In addition, the term “baringe” has no recognized or common meaning in English and has not been used or marketed by the Respondent. A Google search for “baringe” yields no coherent or relevant results. Accordingly, the Complainant concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and is using the disputed domain name in bad faith. The Complainant’s rights in the word “baringa” were well established long before the registration of the disputed domain name. The disputed domain name was registered only four days before it was used in a fraudulent email attempt directed at one of the Complainant’s clients. On July 29, 2025, an email was sent using the address “@baringe.com,” impersonating a real employee of the Complainant; using the real name of one of the Complainant’s employees but under the false “@baringe.com” email address to create deliberate confusion. The only difference between the fraudulent email address and the Complainant’s legitimate address was the substitution of the letter “a” with “e” in <baringe.com>. Moreover, the Complainant provides evidence that the Respondent’s contact details are associated with illicit online activity. The Complainant therefore submits that the Respondent registered and is using the disputed domain name in bad faith, and that no conceivable good faith use of the domain name could be made by the Respondent.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel’s decision be made “on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

It has been a consensus view in previous UDRP decisions that a respondent’s default (i.e., failure to submit a response) would not by itself mean that the complainant is deemed to have prevailed; a respondent’s default is not necessarily an admission that the complainant’s claims are true (see section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#))).

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint, namely that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. Further, it is obvious that the disputed domain name is an intentional misspelling of the BARINGA trademark. The change of the last letter "a" to an "e" does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel finds on record that there are no indications that the Respondent would own any BARINGA trademark or other right which could have granted the Respondent rights in the disputed domain name. There is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business, or other organization. There is no evidence that the Complainant would have authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the BARINGA Trademark.

Further, the disputed domain name is not used for a bona fide offering of goods or services. The Respondent has not, before the original filing of the Complaint, used or made preparations to use the disputed domain name in relation to a bona fide offering of goods or services. Rather, the disputed domain name was used to send fraudulent emails to the Complainant's clients impersonating the Complainant. Panels have categorically held that the use of a domain name for illegal activity (e.g., phishing, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the disputed domain name incorporates the BARINGA Trademark with the only difference being the last letters "e" instead of an "a". The BARINGA Trademark was registered long before the registration of the disputed domain name. Internet users may think the disputed domain name is connected to the Complainant and would resolve to a website related to the Complainant because the disputed domain name is confusingly similar to the BARINGA Trademark with the last letter that differs.

At the time of this Decision and at the time the Complaint was filed, the disputed domain name does not resolve to any active webpage which does not prevent a finding of bad faith. The evidence shows that the Respondent has used a fake email address with the ending "@baringe.com," impersonating a real employee of the Complainant; trying to solicit payment. Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. Many such cases involve the respondent's use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant's actual or prospective customers. [WIPO Overview 3.0](#), section 3.4.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <baringe.com> be transferred to the Complainant.

/Christian Gassauer-Fleissner/
Christian Gassauer-Fleissner
Sole Panelist
Date: October 22, 2025